

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Judiciary, to which was referred House Bill No. 1047, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 33-4-3-7, AS AMENDED BY P.L.2-2002,
- 4 SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2003]: Sec. 7. The small claims docket has jurisdiction over
- 6 the following:
- 7 (1) Civil actions in which the amount sought or value of the
- 8 property sought to be recovered is not more than ~~three six~~
- 9 thousand dollars (~~\$3,000~~) **(\$6,000)**. The plaintiff in a statement of
- 10 claim or the defendant in a counterclaim may waive the excess of
- 11 any claim that exceeds ~~three six~~ thousand dollars (~~\$3,000~~)
- 12 **(\$6,000)** in order to bring it within the jurisdiction of the small
- 13 claims docket.
- 14 (2) Possessory actions between landlord and tenant in which the
- 15 rent due at the time the action is filed does not exceed ~~three six~~
- 16 thousand dollars (~~\$3,000~~) **(\$6,000)**.
- 17 (3) Emergency possessory actions between a landlord and tenant
- 18 under IC 32-31-6."
- 19 Page 1, line 6, delete ":".
- 20 Page 1, line 7, delete "(A) ten" and insert "**six**".
- 21 Page 1, line 7, delete "(\$10,000) in:" and insert "**(\$6,000)**".

- 1 Page 1, run in lines 6 through 7.
- 2 Page 1, delete lines 8 through 13.
- 3 Page 1, line 16, delete "the amount applicable to the" and insert "**six**
- 4 **thousand dollars (\$6,000)**".
- 5 Page 1, line 17, delete "court under clause (A) or (B)".
- 6 Page 2, between lines 21 and 22, begin a new paragraph and insert:
- 7 "SECTION 3. IC 33-10.5-7-1, AS AMENDED BY P.L.2-2002,
- 8 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 JULY 1, 2003]: Sec. 1. Each judge of the county court shall maintain
- 10 the following dockets:
- 11 (1) An offenses and violations docket.
- 12 (2) A small claims docket for the following:
- 13 (A) All cases where the amount sought or value of the property
- 14 sought to be recovered is ~~three six~~ thousand dollars (~~\$3,000~~)
- 15 (**\$6,000**) or less. The plaintiff in a statement of claim or the
- 16 defendant in a counterclaim may waive the excess of his claim
- 17 over ~~three six~~ thousand dollars (~~\$3,000~~) (**\$6,000**) to bring it
- 18 within the jurisdiction of the small claims docket.
- 19 (B) All possessory actions between landlord and tenant in
- 20 which the rent due at the time the action is filed does not
- 21 exceed ~~three six~~ thousand dollars (~~\$3,000~~) (**\$6,000**).
- 22 (C) Emergency possessory actions between a landlord and
- 23 tenant under IC 32-31-4.
- 24 (3) A plenary docket for all other civil cases."
- 25 Page 2, line 26, reset in roman "six thousand dollars (\$6,000),".
- 26 Page 2, line 26, delete "ten".
- 27 Page 2, line 27, delete "thousand dollars (\$10,000),".
- 28 Page 2, line 35, delete "other".
- 29 Page 2, line 37, reset in roman "six thousand dollars (\$6,000).".

- 1 Page 2, line 37, delete "ten thousand dollars".
- 2 Page 2, line 38, delete "(\$10,000).".
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1047 as printed February 21, 2003.)

and when so amended that said bill do pass .

Committee Vote: Yeas 9, Nays 0.

Senator Bray, Chairperson